

# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,160	09/20/2005	Yong Tae Park	2017-027	5325
52706 IPLA P.A.	7590 09/04/2007		EXAM	INER
3580 WILSHIRE BLVD. 17TH FLOOR			VERDIER, CHRISTOPHER M	
LOS ANGELES, CA 90010			ART UNIT	PAPER NUMBER
		•	3745	
			MAIL DATE	DELIVERY MODE
			09/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

÷						
	Application No.	Applicant(s)				
	10/550,160	PARK, YONG TAE				
Office Action Summary	Examiner	Art Unit				
	Christopher Verdier	3745				
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet wit	th the correspondence address -				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA.  - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period of Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNIC 36(a). In no event, however, may a re will apply and will expire SIX (6) MONT c, cause the application to become ABA	CATION.  Poply be timely filed  THS from the mailing date of this communication.  ANDONED (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on		·				
2a) ☐ This action is <b>FINAL</b> . 2b) ☒ This	☐ This action is <b>FINAL</b> . 2b) ☐ This action is non-final.					
3) Since this application is in condition for alloward	nce except for formal matte	ers, prosecution as to the merits is				
closed in accordance with the practice under E	Ex parte Quayle, 1935 C.D.	. 11, 453 O.G. 213.				
Disposition of Claims						
4) ☐ Claim(s) 1-3 is/are pending in the application. 4a) Of the above claim(s) is/are withdray 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-3 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/o						
Application Papers						
9)☑ The specification is objected to by the Examine 10)☑ The drawing(s) filed on 20 September 2005 is/a Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11)☑ The oath or declaration is objected to by the Ex	are: a) $\square$ accepted or b) $\boxtimes$ drawing(s) be held in abeyandion is required if the drawing(	ce. See 37 CFR 1.85(a). s) is objected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of:  1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priority application from the International Bureau * See the attached detailed Office action for a list	s have been received. s have been received in Aprity documents have been to u (PCT Rule 17.2(a)).	oplication No received in this National Stage				
Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)  Paper No(s)/Mail Date 9-20-05.	Paper No(s)	ummary (PTO-413) )/Mail Date formal Patent Application _				

Art Unit: 3745

#### Oath/Declaration

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It incorrectly lists the filing date of PCT/KR2005/000127 as 01/14/2004, which should be 01/14/2005. It incorrectly lists the application number of the Korean priority application as "10-2004-0001015", which should be 20-2004-0001015. It incorrectly lists the filing date of the Korean priority application as 01/14/2003, which should be 01/14/2004.

## **Drawings**

The drawings are objected to under 37 CFR 1.84(h)(2), because the enlarged view in figure 1 must be shown as a separate figure. The drawings are objected to because figures 4A and 4B are blackened and blurred. The drawings are objected to under 37 CFR 1.84(u)(1) because figures 4A and 4B are not each preceded by an Arabic numeral (i.e. FIG. 4A and FIG 4B.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the

drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

# Specification

The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

The abstract of the disclosure is objected to because it contains the phrase "the present invention" (line 1) which is implied and should be deleted, because it contains the legal term "said" (line 2) which should be deleted, and because it is non-idiomatic, appearing to be a literal translation of the abstract of the priority application. Correction is required. See MPEP § 608.01(b).

The specification is objected to because it is replete with grammatical errors too numerous to mention in all instances. The following are several examples of defects. The specification should be carefully proofread for additional defects.

On page 1, line 1, "Description" is superfluous and should be deleted.

Application/Control Number: 10/550,160

Art Unit: 3745

In paragraph 1, line 3, "comprise of a" should be changed to -- comprises a --.

In paragraph 1, line 5, "of" should be deleted.

In paragraph 1, line 5, "handle" should be changed to -- handles --.

In paragraph 8, line 1, "The present invention" is unclear if this intends to refer to the present inventor, or not.

Paragraph 15 should end with a period.

The specification, title and abstract use the terms "hat in a fan" and "hat in fan", which are inaccurate. The present application is not a hat that is located in a fan, but rather a combination hat and fan.

A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

The title of the invention is inaccurate. A new title is required that is clearly indicative of the invention to which the claims are directed. A suggested title is -- Combination Hat and Fan -

#### Claim Objections

Claims 1-3 are objected to because they appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors too numerous to

Application/Control Number: 10/550,160

Art Unit: 3745

mention in all instances. The following are several examples of defects. The claims should be carefully reviewed for additional defects. Appropriate correction is required.

In claim 1, line 1, "serve" should be changed to -- serves --.

The claims are replete with reference numerals ("31" in claim 1, line 1, for example) that should be deleted.

In claim 1, line 2, "at on" should be changed to -- on a --.

In claim 1, line 3, "the" should be deleted.

## Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-3 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph. The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. The claims fail to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. The following are several examples of indefinite claim language. The claims should be carefully reviewed for additional indefinite claim language. Applicant is not relieved of ensuring that all claims comply with 35 USC 112, second paragraph. In claim 1, line 1, "hat in fan" is inaccurate. The present application is not a hat that is located in a fan, but rather a combination

Art Unit: 3745

hat and fan. In claim 1, line 6, "the supporting plates" lacks antecedent basis. In claim 1, line 8, "plate" is inaccurate and should be changed to -- plates --. In claim 1, line 9, "plate" is inaccurate and should be changed to -- plates --. In claim 2, line 3, "the present invention" is objectionable and should be changed to -- the combination hat and fan --.

## Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

French Patent 835,668 is cited to show a hand fan wearable on a person's head.

French Patent 1,238,201 and Klie are cited to show hand fans with flexible handles.

Yang is cited to show a hand fan with pivoting handles.

Wagenfeld, Caroleo, Linday, and Crewe are cited to show various hats/visors with bands.

Ahsley is cited to show a visor with an auxiliary band.

# Allowable Subject Matter

Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Claims 2-3 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Art Unit: 3745

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Verdier whose telephone number is (571) 272-4824. The examiner can normally be reached on Monday-Friday from 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward K. Look can be reached on (571) 272-4820. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C.V.

August 27, 2007

Christopher Verdier Primary Examiner Art Unit 3745

Clin L